

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32478 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- PIYAR District- Muzaffarpur

1. SUDHIR KUMAR son of BHUKHLU PANDIT Resident of Village-Piar Bahadurgarh Urf Bishunpur, P.S. and District- Muzaffarpur.
2. Bhukhlu Pandit Son of Late Laxmi Pandit Resident of Village-Piar Bahadurgarh Urf Bishunpur, P.S. and District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 16-01-2023 Heard Mrs. Bela Singh, learned counsel for the petitioners and the learned APP for the State.

The petitioner apprehend their arrest in connection with Piar P.S. Case No. 32 of 2022, G. R. No. 616 of 2022 instituted under Sections 304B/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that his sister was married to Sudhir Kumar (petitioner No. 1) but was tortured for dowry and later she was killed and when he went to her in-laws' house, found her dead body. Accordingly, the FIR was lodged.

Learned counsel for the petitioners submit that the prosecution theory does not match with the medical report



and assault part has not been found.

Learned APP on the other hand submits that entire viscera of the deceased has been sent to the concerned lab and the report is awaited and in that background, the petitioner cannot claim the same to be a natural death.

Be that as it may, the petitioner No. 1 namely Sudhir Kumar being the husband cannot exonerate himself from the responsibility of having tied nuptial knots with the lady who is now no more, this Court is not inclined to grant him relief which is accordingly rejected.

So far as the petitioner No. 2, Bhukhlu Pandit is concerned, taking into account the fact that he is the father-in-law, do not have criminal antecedent and has limited role to play in the matter and will ultimately face the trial, this Court is inclined to grant him relief.

Let the petitioner No. 2 namely Bhukhlu Pandit be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each in connection with Piar P.S. Case No. 32 of 2022, G. R. No. 616 of 2022 to the satisfaction of learned



Judicial Magistrate 1st Class, Muzaffarpur , subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/ Ajay
Singh/-

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